

Guidelines for Academic Plans for Students¹

I. Intent of Guidelines

The purpose of this provision is to add one component to the many strategies that are to be combined by the districts to meet the intent of the Education Accountability Act (EAA) to improve teaching and learning so that students are equipped with a strong academic foundation.

The EAA requires that schools must develop individual Academic Plans for Students (APSS) for those students in grades three through eight who do not meet grade level². The intent in requiring the development of APSs for students not currently at grade level is to provide these students with the tools and assistance they need in order to achieve at or above grade level. Schools, parents, and students must work together to accomplish this goal.

II. District Responsibilities

A. Pursuant to S.C. Code Ann. §59-18-500 (Supp. 1999), beginning in the 1998–99 school year and annually thereafter, schools must begin developing Academic Plans for Students for those students lacking the skills to perform at current grade levels. The school must notify the parent(s), surrogate parent(s), or the legal guardian(s) of students in grades three through eight of the need for a conference if the student lacks the skills to perform at his or her current grade level.

B. Districts must review policies regarding academic conferences, Academic Plans for Students, and district-level reviews to ensure compliance with the EAA and with these guidelines and must give a copy of these policies to every student and his or her parent(s), surrogate parent(s), or legal guardian(s).

C. Students with disabilities who have Individualized Education Programs (IEPs) and qualify for Academic Plans for Students may have their APS conference during their annual IEP meeting. However, if the student receives services only for speech and is eligible for an APS, the school conference participants should develop the APS.

If a student with a disability who is receiving special education and related services is below grade level, the IEP team and appropriate school personnel as needed must review the student's IEP. This review team will determine whether bringing the student to grade level is consistent with the goals and objectives in the student's IEP. If this is the case, a determination must be made as to whether the existing IEP adequately addresses the necessary academic assistance to bring the student to grade level. If it does not, then

¹ Approved by the State Board of Education on November 14, 2001

² Students who lack the skills to perform at grade level

the review team must develop an APS, which can either be a separate document or a part of the student's IEP. Whether the APS is an incorporated or stand-alone document should be addressed as part of the district guidelines.

Policies and procedures established by districts regarding academic conferences, Academic Plans for Students, district-level reviews, and the appeals process must be consistent with the Individuals with Disabilities Education Act (IDEA) and its accompanying regulations.

D. Students with limited English proficiency who are not on grade level are eligible for APSs. An APS may be used to meet both the academic and language needs of a limited-English-proficient student. However, a limited-English-proficient student may not be retained due to his or her limited language proficiency.

E. Districts must monitor the implementation of APSs as part of the local accountability plan and may use Early Childhood Development and Academic Assistance Act of 1993 (Act 135) funds to carry out APSs, including using funds to support summer school attendance.

III. Beginning of School Year Plan

A. Identification of Students

Districts must set policies regarding the use of assessment results, schoolwork, and teacher judgment to identify those students in grades three through eight who are eligible for Academic Plans for Students. At a minimum, a student must receive an APS if the student meets one of the following criteria:

1. The student was retained for the current school year for academic reasons.
2. The student did not score at the basic performance level on any test in the Palmetto Achievement Challenge Test (PACT) battery.
3. The student transferred from another school and has an APS or meets either of the above two requirements to qualify for an APS.

If a student with an APS transfers from one South Carolina school district to another within an academic year, the originating school must transfer the APS with the student's academic record. Within ten days of receiving the academic records, the receiving district will schedule a conference with appropriate participants to review the APS and determine the necessary provisions to address the academic needs of the student.

B. Conference

1. Once a student is identified as eligible for an APS, the school must notify the parent(s), surrogate parent(s), or legal guardian(s) of the need for a conference. Notification must be made and documented at least ten days prior to the conference date. Schools must follow up if a response is not received prior to the conference date. This conference must take place at the beginning of the school year and should occur within the first thirty days of school.

2. The student, parent(s), surrogate parent(s), or legal guardian(s), and the appropriate school personnel (as determined by the school) will participate in this conference. The purpose of this conference is to address the area(s) of academic difficulty and to identify measures to assist the student in performing at or above grade level. Conference participants must also take into consideration any accommodations plan as provided for under Section 504 of the Rehabilitation Act of 1973, limited-English-proficiency plan, student transition plan, and student career plan, if applicable, that have been developed for the student.

C. Academic Plan

1. During the conference, a written academic plan will be developed by conference participants that includes additional services to be provided by the school and/or district and specifies the actions the student and parent(s), surrogate parent(s), or legal guardian(s) will undertake. The APS should identify specific areas of weakness and state the objectives of the plan. Schools shall provide for a method of evaluating the student's progress throughout the school year (at least once each grading period).

Additional services include but are not limited to:

- a) extended day/weekend programs (e.g., homework centers),
- b) reduction in pupil-teacher ratio,
- c) teachers assigned to more than one class for targeted assistance,
- d) additional classes,
- e) tutoring,
- f) additional study aids/tools,
- g) focused study in a particular area,

- h) peer tutoring,
- i) intense targeted academic assistance,
- j) labs,
- k) summer school,
- l) individual assistance,
- m) computer assisted instruction,
- n) on grade instruction, and
- o) volunteer assistance.

Examples of actions taken by parent(s), surrogate parent(s), or legal guardian(s) include

- a) monitoring their child's school/academic progress,
- b) responding to teachers' and school's requests,
- c) providing homework assistance to students,
- d) attending conferences and open houses,
- e) encouraging and expecting good behavior from students,
- f) having high expectations for academic performance, and
- g) volunteering at the school.

Examples of actions taken by students include

- a) behaving appropriately,
- b) improving attendance, reduce tardiness,
- c) increasing classroom participation, and
- d) completing homework.

2. Conference participants must sign the APS. If a parent(s), surrogate parent(s), or legal guardian(s) refuses to sign the APS, the school should document the refusal.

3. The parent(s), surrogate parent(s), or legal guardian(s) must be given a copy of the APS.

D. Failure of Parent(s), Surrogate Parent(s), or Legal Guardian(s) to Attend Conference

The school must appoint a school mentor (teacher or adult volunteer) to work with the student and to advocate for services for the student, if the parent(s) surrogate parent(s), or legal guardian(s) fails to attend the conference. If the district's policy provides for adult volunteers, the district should develop a selection process that includes, but is not limited to, agreements related to confidentiality and background checks. The mentor's role should be to represent the academic interests of the student at the initial conference. The school must make reasonable efforts to schedule the conference at a time convenient to the parent(s) or legal guardian(s). Only after those attempts have been made and documented should a mentor be assigned. For a student with a disability, the IEP team shall function as the mentor.

A copy of the APS developed with a school mentor must be sent to the parent(s), surrogate parent(s), or legal guardian(s) by certified mail.

E. Maintenance of Records

A copy of the APS, the conference notification letter(s), and other documentation should be maintained in the student's permanent record.

IV. End of Summer School Review
(Summer School and Comprehensive Remediation)

E. School Review of Progress

1. Review by School Personnel

At the end of the school year, appropriate school personnel (as determined by the school) must review the progress of each student who has an APS. It is recommended that the school personnel who participated in the development of the APS take part in the end-of-the year review. The determination of whether a student is at grade level should be based on the student's class performance and teacher evaluation as well as other relevant factors.

2. Student's Progress

If the student's work is not at grade level or if the terms of the APS have not been met, the student may be retained or, as a condition of promotion to the next grade, may be required to attend summer school or a comprehensive remediation program the following year. Students attending either summer school or a comprehensive remediation program pursuant to this section will do so without charge.

a) Summer school programs for academic assistance may be structured both in the number of hours in the school day and in the number of school days to accommodate individual academic needs. At a minimum, EAA summer school must be no less than thirty instructional hours and meet this and all other requirements of Regulation 43-240, Summer Program. Classes offered in summer school programs must be taught with the same rigor and in accordance with the same standards as required during the regular school year. Students must have sufficient time to receive instruction in each area of academic deficiency.

Providing extended school year services for a student with a disability does not relieve the school district of the responsibility of providing summer school services, as deemed necessary, under the same guidelines that apply to students without disabilities.

b) Comprehensive remediation programs for academic assistance may be structured both in the number of hours in the school day and in the number of school days to address the objectives outlined in each student's APS. Classes offered in comprehensive remediation programs must be taught with the same rigor and in accordance with the same standards as required during the regular school year. Programs must adhere to all State Board of Education regulations that would apply if the instruction took place during the normal school day.

Comprehensive remediation programs must include a system for communication between the regular classroom teacher and the CR teacher in order to address the areas in need of remediation and assess the student's progress. Comprehensive remediation programs must operate outside of the normal school day of six hours per day or thirty hours per week as specified in the State Board of Education's Defined Program and/or in the standards of the Southern Association of Colleges and Schools (SACS). Sufficient time must be allotted for students to receive

instruction in each area of academic deficiency. Comprehensive remediation programs must be year-long, beginning as soon as possible, but not later than the end of the first grading period, and concluding no sooner than thirty calendar days prior to the last day of school for students.

Academic assistance provided through comprehensive remediation programs cannot supplant academic assistance provided to the student during the normal school day or other academic assistance outlined in the student's APS.

c) If, in the end of the year review, a student is considered at grade level under the provision of this section, but the PACT data later show the student is not at the basic performance level, the school must require that the student be given a revised APS for the next school year. The student will not be considered to be on probation.

F. Right to Appeal

The parent(s), surrogate parent(s), or legal guardian(s) may appeal the following decisions to the district review panel:

1. student retention,
2. mandatory summer school attendance, and
3. mandatory attendance in a comprehensive remediation program.

The review panel (the composition of which is to be determined by the district) should consider compelling reasons for not retaining a student, not requiring the student to attend summer school, or not requiring the student to attend a comprehensive remediation program.

V. Retention

G. District Panel Review

At the end of the summer session, a district panel (the composition of which is to be determined by the district) must review the academic progress of students who attended summer school. The panel must report to the parent(s), surrogate parent(s), legal guardian(s), in writing, the student's academic progress.

H. Academic Probation

If the student is not at grade level, or the student's assessment results show that the standards have not been met, he or she must be placed on

academic probation. For a student with a disability, the IEP team shall make the decision as to how the probation and retention policies are applied.

If, at the end-of-summer-school review, a student is considered at grade level under the provision of this section but the PACT data later show the student is not at the basic performance level, the school must require that the student be given a revised APS for the school year. The student will not be considered to be on probation.

This guideline does not limit the ability of a district to consider factors other than PACT data in placing a student with an APS on probationary status.

Students already on academic probation who are required to attend summer session, must be administered an end of summer assessment. Test items used on end-of-summer assessments must be aligned with state standards reflected on PACT. The test shall be a determinate in judging whether the student has the skills to succeed at the next grade level.

I. Conference

If a student is placed on academic probation, a conference among the student, parent(s), surrogate parent(s), or legal guardian(s), and the appropriate school personnel (as determined by the school) must be held to revise the APS. This conference should take place following summer school. Districts must carry out the same requirements for notice, participants, and assignment of mentors as described in section III, items B and D.

The conference participants must stipulate in writing in the revised APS that the student will be retained if his or her schoolwork is not up to grade level or if assessment results again show standards are not being met.

VI. Reporting of Data

J. Retention after Probationary Year

If a student does not meet the standards after the probationary year, the student must be retained. The school must make an effort to meet with the parent(s), surrogate parent(s), or legal guardian(s) to discuss the student's academic progress and the determination of the need to retain. For a student with a disability, the IEP team shall make the decision as to how the probation and retention policies are applied.

If, after the probationary year, the student is still not performing at grade level and the student is retained, the school must call another conference and review and/or revise the APS.

If after the retention year the student is not performing at grade level, an APS must be developed for the following school year. (See above, section III, item A, 1, and section IV.)

K. Retention after Failure to Improve*

A third failure in the same PACT area requires retention unless the student successfully completes the end of summer assessment. In the case of extenuating circumstances the school district may waive this requirement. Extenuating circumstances are limited to the death or severe long-term illness of an immediate family member or the severe long-term illness of the student.

Districts should identify students who have already failed PACT two or more times. Since these students are in danger of mandatory retention if they do not score at grade level on the spring PACT administration, districts should give these students the opportunity to attend summer school. They should also be allowed to take the end of summer assessment. A student shall not be required to attend summer school to take part in the end of summer assessment if the student was in a comprehensive remediation program the prior year.

Students enrolled in schools rated unsatisfactory may remain on probation rather than being retained unless they have a third failure in both areas of PACT. In that case the student must successfully complete the end of summer assessment for both areas.

L. District Appeals Process

The district's appeals process remains in effect.

VII. End-of-the School Year Review

Districts must provide annual reports on students with APSs at each grade level to the State Department of Education by November 15. The report must include

M. the number of students who had APSs developed,

N. the number of students on APSs who were retained,

* The provision for mandatory retention after three failures on PACT regardless of other circumstances is obsolete as of June 2002.

- O. the number of students on APSs who were promoted at grade level without summer school or year-long comprehensive remediation,
- P. the number of students on APSs who were required to attend summer school,
- Q. the number of students on APSs who were required to attend year-long comprehensive remediation,
- R. the number of students on APSs who attended summer school and were promoted without consequence at grade level,
- S. the number of students on APSs who attended required summer school and who were promoted on academic probation with revised APSs,
- T. the number of students on APSs who attended year-long comprehensive remediation and were promoted at grade level (beginning November 15, 2000),
- U. the number of students on APS probation (beginning November 15, 2000),
- V. the number of students retained after being on APS probation_(beginning November 15, 2000), and
- W. the number of students removed from APS probation and promoted at grade level (beginning November 15, 2000).

These data must be disaggregated by gender, race, free and reduced price lunch, and students on IEPs.